



**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

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## *Memorandum*

TO: Commission

DATE: January 20, 2010

FR: Executive Director

RE: Jobs for Main Street Act of 2010: Transportation Improvement Program (TIP) Revision No. 09-37. MTC Resolution No. 3875, Revised.

### **Background**

At the Legislation and Programming and Allocations Committees, staff provided a briefing on the Jobs for Main Street Act of 2010, which was approved by the House of Representatives in mid-December. As a reminder, the bill included significant funding for transportation – with roughly an equivalent amount of funding proposed to come to the Bay Area for Commission decision-making as under the American Recovery and Reinvestment Act of 2009 (ARRA).

While there is still no certainty that a second jobs bill will be enacted, we are being advised by Caltrans and the Federal Highway Administration to take certain steps now to expedite approval actions should a bill move forward in the Senate next month. This direction is largely a result of the provisions in the House bill that require that 50% of the funding be under contract within 90 days. By comparison, ARRA only required federal approval – not award of contract – within 120 to 180 days for 50% of the funding.

### **Recommendation Summary**

In response, two actions are proposed in preparation for a possible jobs bill in the coming months:

1. Add federal revenues to the Transportation Improvement Program (TIP), roughly equivalent to that received by the region under ARRA; and
2. Add project listings for streets and road and transit rehabilitation projects using local funds as contingency projects in the event the jobs bill is approved. Staff proposes to use the aggregate ARRA Tier 1 funding level as a placeholder – although specific commitments by operator, jurisdiction and purpose will still be vetted by the Commission before moving forward on any investments.

The actions noted above ready the region to move quickly, if necessary, but will not take the place of full consultation and discussion on jobs bill investments with the Commission should a bill be enacted. In addition, this TIP placeholder for rehabilitation projects will not preclude the possibility of investing future jobs bill funds on expansion or operational projects. These early steps will only shorten the time necessary to secure federal approvals needed for the projects ultimately selected.

### Proposed TIP Amendment

TIP Amendment 09-37, as proposed, would amend in potential revenues for a future jobs bill as well as locally-funded lump sum listings for rehabilitation projects as shown in the table below. Under normal operating procedures, staff would not recommend amending in federal revenues for new programs until they have been secured through final federal approval. We have been advised by both Caltrans and the Federal Highway Administration (FHWA) that this deviation from typical practice will be allowed in order to be prepared and able to respond to tight project delivery deadlines. Staff is still waiting for confirmation on this approach from the Federal Transit Administration (FTA).

Potential Jobs Bill Funding Revenues	
Fund Type	Amount
FHWA Administered Funds (State, and Regional, STP, and TE)	\$596,574,240
FTA Administered Funds	\$343,148,640
<b>Total</b>	<b>\$939,722,880</b>

Potential Jobs Bill Lump Sum Listings (Locally-funded)	
Project Type	Amount
Various Local Road Rehabilitation and Maintenance	\$117,000,000
Various Safety Projects	\$5,000,000
Various Bicycle and Pedestrian Projects	\$7,500,000
Various Transit Rehabilitation and Maintenance	\$270,000,000
<b>Total</b>	<b>\$399,500,000</b>

The revision made pursuant to this amendment will not change the air quality conformity finding; therefore a conformity determination is not required. As for financial constraint, should Congress and the President not enact a jobs bill that includes revenues for transportation in the near future, staff will amend the TIP to reduce the revenues to ensure that the 2009 TIP remains financially constrained. A summary of the proposed changes in the amendment is attached and is also available in the MTC/ABAG Library in Oakland, CA, and is posted on the Internet at: <http://www.mtc.ca.gov/funding/tip/>

The amendment will be transmitted to Caltrans after the Commission's approval; after its review, Caltrans will forward the amendment to FHWA and FTA as required for final federal agency review and approval.

Staff recommends that the Commission approve the attached revision to Resolution No. 3875, Revised.

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Steve Heminger

#### Attachments

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